



Legislation Details (With Text)

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Title: Review and Confirmation of the Suspension of Enforcement of Certain City Codes and Ordinances Taken by the City Manager Since the Start of the COVID-19 Pandemic Emergency.

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Attachments: 1. 20-0802_Attachment 1 Land Use Related Susepnsion of Enforcement, 2. 20-0802_Attachment 2 Parking Related Suspension of Enforcement

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 8, 2020

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: MARK B. JINKS, CITY MANAGER /s/

DOCKET TITLE:

Review and Confirmation of the Suspension of Enforcement of Certain City Codes and Ordinances Taken by the City Manager Since the Start of the COVID-19 Pandemic Emergency.

ISSUE: Review and confirmation of the suspension of enforcement of certain City Codes and Ordinances that have been taken by the City Manager to allocate resources, address public safety, and address impacts to businesses caused by the COVID-19 pandemic emergency.

RECOMMENDATION: That City Council confirm that the suspension of enforcement of the codes and ordinances relating to Land Use and Parking shown in the attached documents shall remain in place until the end of the declaration of local emergency, or earlier if the City Manager determines they are no longer necessary.

DISCUSSION: The COVID-19 pandemic emergency has caused an enormous impact to our community and

has required a change in everyday life for every one of our community members. The Governor's Orders requiring changes to businesses' and individuals' normal practices requires the City to be adaptable and the laws that are necessary during normal times may not be as applicable during the emergency or they may not be compatible with the requirements of the Governor's Orders. As a result, the City Manager has announced suspension of enforcement of certain codes and ordinances that assist the community either in alleviating requirements for local businesses to allow them to adapt to the emergency, alleviate codes that individuals are required to comply with that would require them to leave their home in violation of the Governor's Stay at Home orders, and/or require staff resources to administer that are now needed in other areas to address the emergency.

BACKGROUND: On March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic. Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread and ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive "any state requirement or regulation" as appropriate. On March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19 and on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic. Accordingly, on March 14, 2020, effective at 5:00 p.m. and extending through June 10, 2020, at 5:00 p.m., or as may be amended by the City Council, the City Manager, in his capacity as Director of Emergency Management, issued a Declaration of Local Emergency applicable throughout the entire City of Alexandria, Virginia (the "City"), pursuant to authority granted pursuant to City Code Section 4-3-5, Virginia Code Sections 44-146.21 and 15.2-1413, which City Declaration was unanimously consented to the by the City Council on March 14, 2020, pursuant to City Resolution No.2928, The City Council finds that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a "disaster" as defined by Virginia Code §44-146.16 being a "communicable disease of public health threat. Therefore, it is necessary for flexibility with certain codes and ordinances to assist the community in addressing this emergency.

FISCAL IMPACT: The fiscal impact is difficult to calculate given the parking demand has substantially dropped as residents and tourists are largely staying at home. The costs of these City actions are likely less than \$100,000. On the other hand the land use changes will result in an increase in revenues to some degree.

ATTACHMENTS:

1. Land Use Related Suspension of Enforcement
2. Parking Related Suspension of Enforcement

STAFF:

Joanna Anderson, City Attorney

Yon Lambert, Director of Transportation and Environmental Services

Michael Brown, Chief of Police

Karl Moritz, Director of Planning and Zoning